IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No.29314 of 2008
With
Cr. Misc. No.32606 of 2008
****

RUPESH KUMAR & ANR ..PETITIONERS
(in Cr. Misc. No.29314/08)

NAKUL PRASAD .. PETITOINER
(in Cr. Misc. No.32606/08)

Versus

THE STATE OF BIHAR .. OPPOSITE PARTY
(in both the cases)

****

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/2/ **18.08.2008** Heard the counsel for the petitioners and the State.

2. Petitioners are P.D.S. dealer. As per the allegation in the first information report they are suspected to be found in possession of wheat kept in bags with F.C.I. mark, which were for distribution under the Government scheme. Counsel for the petitioners submits that except suspicion there is nothing to show that these seized articles were for distribution under Government scheme. So far the bags having F.C.I. marks are concerned, they are available in the market.

3. Considering the facts, the prayer for anticipatory bail on behalf of the petitioners, Rupesh Kumar and Manish

Kumar (in Cr. Misc. No. 29314 of 2008) and Nakul Prasad (in Cr. Misc. No. 32606 of 2008) is **allowed**. They are directed to be released on anticipatory bail, in case of their surrender before the Court concerned within four weeks from today, on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Kotwali P.S. Case No. 114 of 2008 to the satisfaction of the Chief Judicial Magistrate, Gaya, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

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**( Mridula Mishra, J. )**

S.A.